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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,589	03/29/2004	Joachim Mathes	3826 1038US	9487

7590 11/27/2006

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EXAMINER

RAO, ANAND SHASHIKANT

ART UNIT PAPER NUMBER

2621

DATE MAILED: 11/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/810,589

Applicant(s)

MATHES ET AL.

Examiner

Andy S. Rao

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2,4 and 8-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2, 4, 8-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed with respect to claims 1-2, 4, 8-19 as filed on 9/13/06 have been fully considered but they are not persuasive.
2. Claims 2, 4, 8-19 remain rejected under 35 U.S.C. 102(b) as being anticipated by Hill, as was set forth in the Office Action of 6/19/06.
3. The Applicants present one argument contending the Examiner's rejection of previously pending claims 1-18 under 35 U.S.C. 102(b) as being anticipated by Hill, as was set forth in the Office Action of 6/19/06. However, after a careful consideration of the arguments presented, the Examiner must respectfully disagree for the reasons that follow and maintains the applicability of the Hill reference in the rejection that follows.

Applicant argues that Hill fails to disclose "...camera optics incorporating focusing means and means for adjustment of a camera field of view..." as in the claims (Amendment of 9/13/06: page 6, lines 3-29). The Examiner respectfully disagrees. It is noted that Hill discloses the use of a pan/tilt mount in conjunction with the camera which reads on the adjustment means as claimed (Hill: column 5, lines 8-12). Hill also discloses a controllable shutter sensitivity which would inherently incorporate a focusing means as in the claim (Hill: column 5, lines 2-7). Accordingly, the Examiner maintains that the limitation is met by Hill.

A detailed rejection follows below.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 2, 4, 8-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Hill.

Hill discloses an optical detection system for a vehicle (Hill: figure 1), comprising: a camera optics disposed on the vehicle (Hill: column 4, lines 60-65), said camera optics having focusing means and/or means for adjusting a camera field of view (Hill: column 5, lines 2-15); a display unit for communicating with said camera optics for displaying images taken by said camera optics (Hill: figure 5); a signal transmitter having ultrasonic, radar, and/or infrared sensors structured for mounting to the vehicle to detect an object in the vicinity of the vehicle (Hill: column 5, lines 10-27 and 33-62); a pattern or image detection device communicating with said signal transmitter for recognition of the object detected by said sensors (Hill: column 7, lines 55-67); and a control device communicating with said pattern or image detection device, said focusing means, and said field of view adjusting means to control a focus and/or an image frame signal output by said camera optics in dependence on the signals generated by said signal transmitter such that the object is clearly visible on said display unit (Hill: column 6, lines 10-30), as in claim 19.

Regarding claim 2, Hill discloses wherein the vehicle is a motor vehicle (Hill: column 4, lines 40-47), as in the claim.

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Regarding claim 4, Hill discloses wherein said sensors are part of at least one of a parking assistance system, a distance control system, a lane deviation warning system, a night vision system, and a system for early detection of accident situations (Hill: column 5, lines 55-65), as in the claim.

Regarding claim 8, Hill discloses wherein said camera optics is disposed in a rear region of said vehicle (Hill: column 4, lines 64-66), as in the claim.

Regarding claim 9, Hill discloses wherein said camera optics is disposed in a front region of the vehicle (Hill: column 5, lines 55-65), as in the claim.

Regarding claim 10, Hill discloses wherein said camera optics can be pivoted about and/or displaced along one or more device axes thereof (Hill: column 5, lines 5-15), as in the claim.

Regarding claim 11, Hill discloses a control device for the optical detection system (Hill: figure 1), as in the claim.

Regarding claims 12-13, Hill discloses wherein, when the vehicle approaches an object in a vicinity of the vehicle, said focus of said camera optics is reduced such that said image frame is enlarged to detect the entire object or substantial parts thereof (Hill: column 7, lines 45-55), as in the claim.

Regarding claim 14-15, Hill discloses wherein when the vehicle approaches an object in the vicinity of the vehicle, the focus of the camera optics is pivoted and/or displaced to permit detection of the entire object or substantial parts thereof (Hill: column 10, lines 1-20), as in the claims.

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Regarding claims 16-17, Hill discloses wherein, when the vehicle approaches an object in a vicinity of the vehicle, said focus of said camera optics is reduced and said camera optics is pivoted and/or displaced (Hill: column 6, lines 35-50), as in the claims.

Regarding claim 18, Hill discloses wherein said focus and/or said image frame of said camera optics is controlled in dependence on said signals generated by said signal transmitter (Hill: column 5, lines 50-64), as in the claim.

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (571)-272-7337. The examiner can normally be reached on Monday-Friday 8 hours.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571)-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andy S. Rao  
Primary Examiner  
Art Unit 2621

asr  
November 19, 2006

ANDY RAO  
PRIMARY EXAMINER